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11 Attorney for Plaintiff, QAIS MOHAMMAD

12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**

14 **QAIS MOHAMMAD**, an individual,

15 Plaintiff,

16 v.

17 **ECC INTERNATIONAL**
18 **CONSTRUCTORS, LLC**, a Delaware
19 Limited Liability Company; **METAG**
INSAAT TICARET A.S., a Turkish
20 Corporation; **ECCI-C METAG, JV**, a Joint
21 Venture; and DOES 1 through 100 inclusive,

22 Defendants.

23 **CASE NO. 4:16-cv-06281-DMR** (removed
24 from San Mateo County Superior Court, Case
25 No. 16CIV01638)

26 **STIPULATION TO REMAND TO**
SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SAN MATEO;
[PROPOSED] ORDER

27 Judge: Hon. Donna Ryu

28 Complaint Filed: September 29, 2016

Trial Date: None set

29 This stipulation is entered into by and between Plaintiff, Qais Mohammad (“Plaintiff”)
30 and Defendants, ECC International Constructors, LLC, Metag Insaat Ticaret A.S., and ECCI-C
31 Metag, JV (collectively, “Defendants”), by and through their respective counsel, with reference
32 to the following facts and recitals:

33 RECITALS

34 1. WHEREAS, on September 29, 2016, Plaintiff filed this action in the Superior
35 Court of California, County of San Mateo, Case No. 16CIV01638 (the “Action”).

36 2. WHEREAS, on October 31, 2016, Defendants removed the Action to the United

States Federal Court for the Northern District of California on the basis of diversity jurisdiction.

3. WHEREAS, on November 8, 2016, Defendants filed a Motion to Dismiss.

4. WHEREAS, on November 21, 2016, Defendants withdrew their Motion to

Dismiss.

5. WHEREAS, on November 21, 2016, Defendants agreed to Plaintiff's request to stipulate to remand the Action to the Superior Court of California, County of San Mateo because Defendants' Notice of Removal violates 28 U.S.C. §1441(b)(2).

STIPULATION

6. NOW THEREFORE, subject to the Court's approval, the Parties AGREE and STIPULATE to remand this Action to Superior Court of California, County of San Mateo, where venue and jurisdiction are proper for this Action.

7. The Parties further stipulate that each party shall bear its own attorneys' fees and costs with respect to the removal and subsequent remand of the Action pursuant to this Stipulation and Order.

____/s/ Hani Ganji_____
Hani Ganji
Attorney for Plaintiff
Dated: November 21, 2016

/s/ Kevin M Pierce
Kevin M. Pierce
Attorney for Defendants